

Sent: Monday, May 16, 2016 7:53 AM

Subject: Petitions to repeal

Good morning Tina,

Attached you will find 8 petitions to repeal recently amended WAC's.

The amended sections in these WAC's are no longer needed as the WSGC just recently adopted multiple amendments in Section WAC 230-13-005 Amusement games authorized that makes Group 12 games no different than Group 1 – 11 games. There is no longer any reason to require Group 12 commercial amusement operators and manufactures to these restrictions and requirements. This is discriminatory towards Group 12 game commercial amusement operators and manufactures.

Sincerely.

Patrick Tompkins

PETITION #1

**Petition to repeal the recently amended section in WAC 230-13-135 (2)
Maximum wagers and prize limitations.**

(2) For Group 12 amusement games, the maximum wager is five dollars and the maximum cost for a prize is one thousand dollars.

**The Washington State Gambling Commission is responsible for
administering this rule.**

The rational for adoption for the repeal of this existing rule is as follows:

The amended section in WAC 230-13-080 (4) is no longer needed as the WSGC just recently adopted multiple amendments in Section WAC 230-13-005 Amusement games authorized that makes Group 12 games no different than Group 1 – 11 games. There is no longer any reason to restrict wager or prize limit based upon these changes. This is discriminatory towards Group 12 game operators and locations.

PETITION #2

Petition to repeal the recently amended sections in WAC 230-13-010 Approval of new amusement games.

(1) Operators may introduce new games that meet the standards of an authorized group 1-11 amusement game without approval of the director as long as they provide the director or his or her designee with a description of the game, the rules of play, and the group number of the game with an explanation of why that group was chosen at least sixty (60) days before introducing the game. The game cannot be introduced during this sixty (60) day period unless approved sooner by us. The sixty day period stops when we request additional information. (2) The following procedures apply to all Group 12 amusement games.

Games approved before the effective date of this rule must be submitted for testing, including the application and deposit, by May 1, 2016: (a) An application and deposit must be submitted requesting approval of a Group 12 amusement games and the applicant will provide all requested information; (b) All amusement game equipment, programs, and games must be submitted for our review

to verify compliance with chapter 9.46 RCW and Title 230 WAC.

(i) The equipment, programs, and/or games submitted must be fully functional/operational and capable of being tested once our review begins.

(ii) If the equipment is not fully functional/operational and ready for testing and review, we may require additional equipment or information before we start our review process;

(c) Amusement game equipment, programs, and games submitted for review must be identical to what will be marketed, distributed, and deployed in

Washington; (d) Group 12 amusement games must allow for a means of identifying and validating approved software that will demonstrate the authenticity of any software or game by a third-party

verification program or tool device; (e) We will have sixty (60) days to finish our review once your application is complete;

(f) We will notify you if we require additional information or if your equipment, program, or game malfunctions or is otherwise inoperable;

(i) You will have fourteen (14) days to provide any additional information or correct any equipment, program, or game malfunction and the sixty (60) day review period stops when this occurs. The review period will restart when we receive the requested additional information or when the problem is corrected. You will be responsible for any additional cost needed to review the additional information provided or review of any equipment, program, or game malfunction;

(ii) Review of your application may be terminated if you do not respond within fourteen (14) days. You will be required to re-apply under this rule if your application is terminated.

(g) You can only begin selling, leasing, distributing, or operating these amusement games once all entities or individuals are licensed under chapter WAC 230-03 WAC and the amusement game equipment, program, and/or game(s) are approved by the director or director's designee;

(h) All licensed amusement games must operate as approved by the director or director's designee; and

(i) We may keep equipment, software, and/or games submitted for review to allow for continued testing and training as long as the equipment remains in play in Washington. We are not liable for any damage to equipment while in our possession.

(23) If the director or director's designee notifies the operator that the proposed game does not meet the standards or otherwise violates the gambling laws or rules, the operator:

(a) May not introduce the game;

(b) If already introduced, must remove it from play until the operator brings it into compliance with the authorized group;

(c) If you do not agree with the director or director's designee's decision, you may file a petition for declaratory order with the commission according to RCW 34.05.240 and chapter 230-17WAC.

[Statutory Authority: RCW 9.46.070

. WSR 07-15

-064 (Order 612), § 230-

13

-010, filed 7/16/07, effective

1/1/08.]

Amended Section WAC 230-13-135 Maximum wagers and prize limitations at certain amusement game locations

(1) The maximum wager is three dollars and fifty cents and the maximum cost for a prize is five hundred dollars if school-aged minors are allowed to play amusement games at the following locations:

(1a) Regional shopping centers; and

(2b) Movie theaters; and

(3c) Bowling alleys; and

(4d) Miniature golf course facilities; and

(5e) Skating facilities; and

(6f) Family sports complexes.

(ai) A "family sports complex" is a facility, at a permanent location, to which people go to play sports. A family sports complex must offer multiple sports activities, such as indoor soccer, outdoor soccer, lacrosse, baseball, Frisbee, and lawn bowling and the gross receipts must be primarily from these sports activities.

(bii) A family sports complex does not include a facility owned or operated by a school or school district; and

(7g) Amusement centers; and

(8h) Grocery or department stores. A "department or grocery store" means a business that offers the retail sale of a full line of clothing, accessories, and household goods, or a full line of dry grocery, canned goods, or nonfood items plus some perishable items, or a combination of these. A department or grocery store must have more than ten thousand square feet of retail and support space, not including the parking areas; and

(9i) Any business whose primary activity is to provide food service for on premises consumption.

(2) For Group 12 amusement games, the maximum wager is five dollars and the maximum cost for a prize is one thousand dollars.

The Washington State Gambling Commission is responsible for administering this rule.

The rationale for adoption for the repeal of this existing rule is as follows:

The amended sections in **WAC 230-13-010** is no longer needed as the WSGC just recently adopted multiple amendments in Section WAC 230-13-005 Amusement games authorized that makes Group 12 games no different than Group 1 – 11 games. There is no longer any reason to require Group 12 commercial amusement operators to these restrictions and requirements. This is discriminatory towards Group 12 game commercial amusement operators.

PETITION #3

Petition to repeal the recently amended section in WAC 230-06-110 (6) Buying, selling, or transferring gambling equipment.

(6) Group 12 amusement games can only be sold or leased by a licensed manufacturer or distributor to a licensee. Lease agreements entered into prior to the effective date of this rule may continue until the manufacturer is licensed or December 31, 2016, whichever occurs first.

The Washington State Gambling Commission is responsible for administering this rule.

The rational for adoption for the repeal of this existing rule is as follows:

The amended section in **WAC 230-06-110 (6)** is no longer needed as the WSGC just recently adopted multiple amendments in Section WAC 230-13-005 Amusement games authorized that makes Group 12 games no different than Group 1 – 11 games. There is no longer any reason to require Group 12 manufactures to this restriction. This is discriminatory towards Group 12 game manufactures.

PETITION #4

Petition to repeal the recently amended section in WAC 230-05-030 (10) Fees for other businesses.

(10) Review of gambling equipment, supplies, services, ((or)) games, or **group 12 amusement games**.

The Washington State Gambling Commission is responsible for administering this rule.

The rational for adoption for the repeal of this existing rule is as follows:

The amended section in **WAC 230-05-030 (10)** is no longer needed as the WSGC just recently adopted multiple amendments in Section WAC 230-13-005 Amusement games authorized that makes Group 12 games no different than Group 1 – 11 games. There is no longer any reason to require Group 12 manufactures to pay this fee. This is discriminatory towards Group 12 game manufactures.

PETITION #5

Petition to repeal the recently amended section in WAC 230-05-030 (11) Identification stamps. (d) Coin or token-activated amusement games.

(11) (d) Annually -operated at any Class A amusement game license location;
Group 1 through 11 games \$29.68 Annually for
Group 12 games \$250.00

The Washington State Gambling Commission is responsible for administering this rule.

The rational for adoption for the repeal of this existing rule is as follows:

The amended section in **WAC 230-05-030 (11) (d)** is no longer needed as the WSGC just recently adopted multiple amendments in Section WAC 230-13-005 Amusement games authorized that makes Group 12 games no different than Group 1 – 11 games. There is no longer any reason to require Group 12 commercial amusement game operators to pay this increased fee. This is discriminatory towards Group 12 commercial amusement game operators.

PETITION #6

Petition to repeal the recently amended section in WAC 230-03-190 (1) Applying for a distributor license

(1) Buy or otherwise obtain a finished piece of gambling equipment for use in authorized gambling activities or a group 12 amusement game from another person and sell or provide that gambling equipment to a third person for resale, display, or use; or

The Washington State Gambling Commission is responsible for administering this rule.

The rational for adoption for the repeal of this existing rule is as follows:

The amended section in **WAC 230-03-190 (1)** is no longer needed as the WSGC just recently adopted multiple amendments in Section WAC 230-13-005 Amusement games authorized that makes Group 12 games no different than Group 1 – 11 games. There is no longer any reason to require Group 12 distributors to be licensed. This is discriminatory towards Group 12 game distributors.

PETITION #7

**Petition to repeal the recently amended section in WAC 230-03-185 (1) (c)
Applying for a manufacturer license.**

(c) Manufacture group 12 amusement games. Manufacturers of group 12 amusement games that were approved before the effective date of this rule must apply by May 1, 2016, and be licensed by December 31, 2016.

**The Washington State Gambling Commission is responsible for
administering this rule.**

The rational for adoption for the repeal of this existing rule is as follows:

The amended section in **WAC 230-03-185 (1) (c)** is no longer needed as the WSGC just recently adopted multiple amendments in Section WAC 230-13-005 Amusement games authorized that makes Group 12 games no different than Group 1 – 11 games. There is no longer any reason to require Group 12 manufactures to be licensed. This is discriminatory towards Group 12 game manufactures.

PETITION #8

Petition to repeal the recently amended section in WAC 230-13-080 (4)

(4) The maximum number of group 12 amusement games a licensee may have in their licensed premises is limited to: (a) Twenty (20) Games for charitable and nonprofit licensees; and (b) Ten (10) games for commercial licensees.

The Washington State Gambling Commission is responsible for administering this rule.

The rational for adoption for the repeal of this existing rule is as follows:

The amended section in WAC 230-13-080 (4) is no longer needed as the WSGC just recently adopted multiple amendments in Section WAC 230-13-005 Amusement games authorized that makes Group 12 games no different than Group 1 – 11 games. There is no longer any reason to restrict the number of games in a location based upon these changes. This is discriminatory towards Group 12 game operators and locations.